

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

DEANA REIMERS, a single person,

Plaintiff,

vs

MICHAEL LANGTON, in his Official capacity  
as a Ferndale Police Officer and in his  
individual Capacity, and the City of Ferndale A  
municipal subdivision of the State of  
Washington,

Defendants.

No. 2:20-cv-01370-JLR

**ANSWER TO COMPLAINT**

Defendants answer Plaintiff's complaint as follows:

**I. ANSWER**

1. Paragraph 1 is denied for lack of information.

2. Paragraph 2 is admitted.

3. Paragraph 3 is admitted.

4. Paragraph 4 is admitted that Officer Langton stopped plaintiff on February 9,  
2020 after she committed traffic infractions.

5. Paragraph 5 is denied.

6. Paragraph 6 is admitted to the extent Deputy Steubel arrived at the scene and that Reimers was handed a traffic citation by Langton. All other legal and factual allegations are denied.

7. Paragraph 7 requires no responsive pleading. To the extent a response is required, deny.

8. Paragraph 8 requires no responsive pleading. To the extent a response is required, deny.

9. The first sentence of Paragraph 9 is a statement of law which requires no responsive pleading. The second sentence of Paragraph 9 is denied.

10. Paragraph 10 is admitted.

11. Paragraph 11 is denied.

12. Paragraph 12 is denied.

13. Paragraph 13 is denied.

14. Paragraph 14 is denied.

## **II. AFFIRMATIVE DEFENSES**

In addition to the foregoing Answer, these answering Defendants also allege the following Affirmative Defenses:

1. The injuries and damages, if any, claimed by Plaintiff may have been proximately caused or contributed to by the fault of the Plaintiff.

2. If Plaintiff has suffered any damages, recovery may be barred by Plaintiff's failure to mitigate said damages.

3. Defendants' actions were in good faith and therefore immune from Plaintiff's claims including under the doctrine of qualified immunity.

4. Plaintiff's claims may be barred by the public duty doctrine.

5. Plaintiff's complaint fails to state facts sufficient to state a claim upon which relief can be granted.

**III. PRAYER FOR RELIEF**

Having fully answered the Plaintiff's complaint, and having alleged certain affirmative defenses, Defendants respectfully request that the Plaintiff's complaint be dismissed with prejudice and the Defendants be awarded their costs, reasonable attorneys' fees, and such other and further relief as the court deems just and equitable.

Dated this this 19<sup>th</sup> day of October, 2020, at Seattle, Washington.

MIX SANDERS THOMPSON, PLLC

s/George A. Mix  
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**CERTIFICATE OF SERVICE**

I, Sherry Toves, certify that on October 19, 2020 I caused to be served a true and correct copy of the foregoing ANSWER TO COMPLAINT with the Clerk of the Court using the CM/ECF System and caused to be served a true and correct copy via the method indicated below and addressed to the following

*Attorney for Plaintiff*  
William Johnston  
PO Box 953  
Bellingham WA 98227  
☐ Legal Messenger  
☐ U.S. Mail  
☒ CM/ECF

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

s/Sherry R. Toves  
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